

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

UNITED STATES OF AMERICA,

v.

FRANKLIN WAYNE GIBSON

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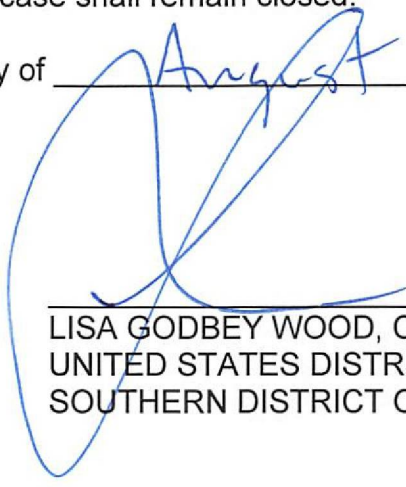
CASE NO.: CR509-13

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Defendant Franklin Gibson ("Gibson") filed Objections. In his Objections, Gibson contends that there is no way that a conflict of interest issue can be waived, which is why Rule 60(b) is the proper vehicle for him to bring his claims. As the Magistrate Judge noted, Gibson's contention that he could not waive a conflict of interest issue is contradicted by the record. In addition, the Magistrate Judge noted that Rule 60(b) does not provide for relief from judgment in a criminal case, and Gibson is not entitled to his requested relief.

Gibson's Objections are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Gibson's Motion for Relief from Judgment is **DISMISSED**. This case shall remain closed.

SO ORDERED, this 11 day of August, 2014.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA